

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Mark Taylor Wedell, et al.

Reissue Application for
U.S. Patent No. 5,803,590
issued September 8, 1998

Art Unit: 3406

Examiner: Not yet known

Serial No.: 08/610,575

Filed: March 8, 1996

For: ROADWAY LUMINAIRE

Assigned to: Acuity Brands, Inc.

July 16, 2003

Attorney Docket No. 50010/287195

Mail Stop Reissue
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REISSUE APPLICATION TRANSMITTAL

Sir:

Transmitted herewith is an application for reissue of U.S. Patent No. 5,803,590, entitled "Roadway Luminaire," issued on September 8, 1998, and naming Mark Taylor Wedell, Edward Bernard Bilson, Thomas A. Zimmerman, and Glenn A. Ellis III as inventors. Assignee seeks to correct inventorship by this reissue application, adding Rick W. Kauffman as a named inventor, and the claims are not amended.

Enclosed behind correspondingly-numbered tabs are the following:

1. Specification, claims, and drawings.
A copy of U.S. Patent No. 5,803,590 is enclosed.
2. Clean copy of drawings.
3. Executed Reissue Application Declaration by the Assignee.

4. Assignee's Consent to Reissue and Certification in accordance with 37 C.F.R. § 1.172(a).
5. Proof of Ownership of Assignee in accordance with 37 C.F.R. § 3.73(b).
6. Surrender of Patent under 37 C.F.R. § 1.178
7. Fee Calculation Under 37 C.F.R. § 1.16(h), (i) and (j).

Duplicate copies of the fee calculation sheet PTO form PTO/SB/56 are enclosed for accounting purposes.

Enclosed is a check in the amount of \$750 to cover the fees associated with the filing of this reissue application by a large entity, pursuant to 37 C.F.R. § 1.16(h). The Commissioner is hereby authorized to charge additional fees under 37 C.F.R. § 1.16(a), (b), (c), (d), (e), (f), (g), (i), and (j) and under 37 C.F.R. § 1.17 accrued by filing this reissue application and during the entire pendency of this application, to Deposit Account No. 11-0855. We enclose duplicate copies of this letter.

Respectfully submitted,

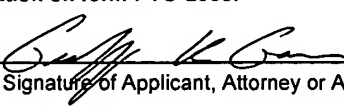


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Attorney for Assignee

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U.S. PATENT DOCUMENTS

4,500,946	2/1985	Mikola .	4,907,139	3/1990	Quiogue .
4,538,217	8/1985	Ewing et al. .	4,937,718	6/1990	Murray .
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4,791,539	12/1988	Ewing .	5,243,508	9/1993	Ewing et al. .
4,793,581	12/1988	Bilson et al. .	5,249,112	9/1993	Bray .
4,796,001	1/1989	Gostyla .	5,266,738	11/1993	MacVoy .
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			5,395,246	3/1995	Punako et al. .

REISSUE APPLICATION FEE TRANSMITTAL FORM						Docket Number (Optional) 50010/287195		
Claims as Filed - Part 1								
Claims in Patent	For	Number Filed in Reissue Application	(3) Number Extra	Small Entity		Other than a Small Entity		
				Rate	Fee	Rate	Fee	
(A) 12 (C) 5	Total Claims (37 CFR 1.16(j)) Independent Claims (37 CFR 1.16(i))	(B) 12 (D) 5	**** 0	=	X\$ ____ =	or	X\$ ____ =	0
			* 0	=	X\$ ____ =		X\$ ____ =	0
Basic Fee (37 CFR 1.16(h))					\$ ____	OR	\$ 750.00	
Total Filing Fee					\$ ____		\$ 750.00	
Claims as Amended - Part 2								
	(1) Claims Remaining After Amendment		(2) Highest Number Previously Paid For	(3) Extra Claims Present	Small Entity		Other than a Small Entity	
					Rate	Fee	Rate	Fee
Total Claims (37 CFR 1.16(j))	*** 12	MINUS	** 20	= 0	X\$ ____ =	or	X\$ ____ =	0
Independent Claims (37 CFR 1.16(i))	*** 5	MINUS	***** 5	= 0	X\$ ____ =		X\$ ____ =	0
Total Additional Fee					\$	OR	\$ 0	
<p>* If the entry in (D) is less than the entry in (C), Write "0" in column 3.</p> <p>** If the "Highest Number of Total Claims Previously Paid For" is less than 20, Write "20" in this space.</p> <p>*** After any cancellation of claims</p> <p>**** If "A" is greater than 20, use (B - A); if "A" is 20 or less, use (B - 20).</p> <p>***** "Highest Number of Independent Claims Previously Paid For" or Number of Independent Claims in Patent (C).</p> <p><input type="checkbox"/> Applicant claims small entity status. See 27 CFR 1.27.</p> <p><input type="checkbox"/> Please charge Deposit Account No. ____ in the amount of ____ . A duplicate copy of this sheet is enclosed.</p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees under 37 CFR 1.16 or 1.17 which may be required, or credit any overpayment to Deposit Account No. <u>11-0855</u> . A duplicate copy of this sheet is enclosed.</p> <p><input checked="" type="checkbox"/> A check in the amount of \$ <u>750.00</u> to cover the filing / additional fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on form PTO-2038.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 30%;"> <p>July 16, 2003</p> <p>_____ Date</p> </div> <div style="width: 60%; text-align: center;"> <p> _____ Signature of Applicant, Attorney or Agent of Record</p> <p>Geoffrey K. Gavin, Registration No. 47,591</p> <p>_____ Typed or printed name</p> </div> </div>								

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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SURRENDER OF PATENT UNDER 37 C.F.R. § 1.178

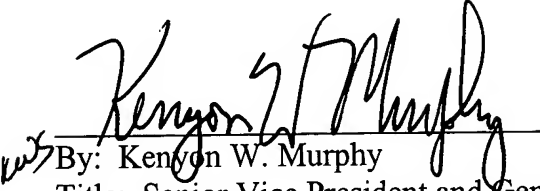
Sir:

In accordance with the provisions of 37 C.F.R. § 1.178, the undersigned Applicant of the accompanying reissue application for U.S. Patent No. 5,803,590 (the "'590 Patent") entitled "Roadway Luminaire," issued on September 8, 1998 to Mark Taylor Wedell, Edward Bernard Bilson, Thomas A. Zimmerman, and Glenn A. Ellis, III, of which Acuity Brands, Inc. is now sole owner by assignment, and on whose behalf and with whose assent the accompanying application is made, hereby offers to surrender the '590 Patent. The original, ribbon copy of the '590 Patent is enclosed herewith.

Reissue Application for
U.S. Patent No. 5,803,590
Issued: September 8, 1998

Respectfully submitted,

ACUITY BRANDS, INC.


By: Kenyon W. Murphy
Title: Senior Vice President and General Counsel

Date: July 14, 2003